



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No.376]

CHENNAI, SATURDAY, NOVEMBER 10, 2018
Aippasi 24, Vilambi, Thiruvalluvar Aandu-2049

Part III—Section 1(a)

**General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.**

NOTIFICATIONS BY GOVERNMENT

INDUSTRIES DEPARTMENT

THE TAMIL NADU CO-OPERATIVE SUGAR MILLS MANAGERIAL COMMON CADRE SYSTEM RULES, 2018.

[G.O. Ms. No. 132, Industries (MIC.2), 10th November 2018, ஐப்பசி 24, விளம்பி, திருவள்ளுவர் ஆண்டு-2049.]

No. SRO A-55 (b)/2018.

In exercise of the powers conferred by Section 180 of the Tamil Nadu Cooperative Societies Act, 1983, (Tamil Nadu Act 30 of 1983) the Governor of Tamil Nadu hereby makes the following rules, namely:-

RULES

Title and Commencement.- (1) These rules shall be called as the Tamil Nadu Cooperative Sugar Mills Managerial Common Cadre System Rules, 2018.

(2) These rules shall apply to the officers belonging to categories A and B of Cooperative Sugar Mills.

(3) These rules shall come into force on the date of Publication in the *Tamil Nadu Government Gazette*.

2. Definitions.- In these rules, unless the context otherwise requires,-

(a) "Act" means the Tamil Nadu Cooperative Societies Act, 1983 (Tamil Nadu Act 30 of 1983);

(b) "Rules" means the Tamil Nadu Cooperative Sugar Mills Managerial Common cadre System Rules, 2018;

(c) "Government" means the Government of Tamil Nadu;

(d) "Registrar" means the Commissioner / Director of Sugar for Cooperative Sugar Mills;

(e) "Sugar Mills" means the Cooperative Sugar Mills registered under the Tamil Nadu Cooperative Societies Act, 1983 (Tamil Nadu Act 30 of 1983);

(f) "Common Cadre Authority" means the Committee formed under rule 4 of these rules;

(g) "Disciplinary Authority" means the Managing Director of the sugar mills;

(h) "Common Cadre Employee" means an employee in categories A and B of the sugar mills;

(i) "Service" means the service under the Tamil Nadu Managerial Common Cadre System Rules, 2018;

(j) "Year" means the financial year commencing from 1st day of April of any year and ending with 31st day of March of the succeeding year;

(k) Managing Director” means the officers appointed by the Government of Tamil Nadu for the management of the Cooperative Sugar Mills as its Managing Directors / Special Officers / Administrators.

3. Classification of Employees of Sugar Mills:- (a) The employees of the Cooperative Sugar Mills will be classified into the following four categories namely :-

- Category-A :** **Chief Officers** consisting of Chief Engineer, Chief Chemist, Chief Accountant and Chief Cane Officer.
- Category-B :** **Deputy Chief Officers** consisting of Deputy Chief Engineer, Deputy Chief Chemist, Cane Development Officer and other Officers in the grade of Assistant Engineer, Manufacturing Chemist, Cane Officer, Office Manager, Labour Welfare Officer and Accounts Officer. The existing Senior Managers and Medical Officers will also come under this category.
- Category-C :** Junior Engineers, Electrical Supervisors, Mechanical Supervisors, Draftsman, Instrument Supervisors, Accountants, all staff in the rank of Superintendents, Lab Chemists, Manufacturing Supervisors, etc.
- Category-D :** Other Staff and Workers.

(b) Only employees in the Category **A** and Category **B** will come under the purview of the Tamil Nadu Cooperative Sugar Mills Managerial Common Cadre System and shall be the Common Cadre Employees for the purpose of these Rules.

(c) Common Cadre Employees are liable for transfer to any of the sugar mills and they shall not be posted in their native districts.

(d) No Common Cadre Employee can be posted for more than three (3) years in a sugar mill either continuously or intermittently.

(e) There must be a cooling off period of 2 years for posting of a Common Cadre Employee in the same sugar mill again after completion of his tenure of 3 years as specified above.

(f) The first of April, every year shall be the crucial date for the preparation of empanelment of Common Cadre Employees for promotion.

(g) Confidential Reports for all Common Cadre Employees will be recorded by the Disciplinary Authority and Confidential Reports will be maintained by the Cadre Controlling Authority.

(h) There will not be any change in the pay structure due to the above classification or re-organisation or re-designation of posts, if any.

4. Formation of Common Cadre Authority.- Common Cadre Authority is a Committee comprising of the following officials:

- (i) Commissioner /Director of Sugar ;
- (ii) Additional Director of Sugar – I; and
- (iii) Additional Director of Sugar – II

In which Director of Sugar will be the Chairman of the Committee. If the post of one of the Additional Director of Sugar is vacant, the Managing Director, Tamil Nadu Co-operative Sugar Federation would be the 3rd member of the Committee.

5. Powers of Common Cadre Authority.- The Common Cadre Authority shall have the following powers, namely :-

- (a) to appoint and effect postings and transfer of Common Cadre Employees;
- (b) to determine and modify from time to time the strength of the Common Cadre Employees working in each sugar mill based on the capacity of the sugar mills within the overall cadre strength fixed by the Government;
- (c) to exercise overall control and supervision over the Common Cadre Employees;
- (d) to fix inter-se-seniority of the Common Cadre Employees;
- (e) to direct any employee of common cadre service to hold additional charge of the common cadre post in any other Sugar Mill, which is vacant;

(f) to delegate any of the powers or functions relating to the service conditions of the Common Cadre Employees to the respective Disciplinary Authority of the sugar mills; and

(g) to make such decisions as desired when time warrants.

6. Powers of the disciplinary authority.- The Disciplinary Authority for Common Cadre Employees will have the following powers, namely:-

(a) to be the Disciplinary Authority for Common Cadre Employees. The disciplinary authority can impose any punishment as warranted;

(b) to exercise overall control and supervision of the Common Cadre Employees with respect to their mills;

(c) to review the performance periodically and send a report to the Common Cadre Authority;

(d) to perform the role of Sanctioning Authority for establishment related matters such as fixation of salary, increment, sanction of leave, permission to leave headquarters etc.;

(e) to record the Confidential Reports for Common Cadre Employees and to scrutinise the self-assessment reports of the Common Cadre Employees;

(f) to maintain the Service Records of the Common Cadre Employees working in their mills and transfer of the Service Records when the Common Cadre Employees are transferred;

(g) to execute any other powers / functions with approval of the Common Cadre Authority relating to the service conditions of the Common Cadre Employees; and

(h) such other powers as delegated by the Common Cadre Authority.

7. Recruitment.- (a) Posts falling under category **A** shall be filled up either by promotion from category **B** or by direct recruitment or on consolidated pay basis. The ratio between direct recruitment and promotion shall be 1:6.

(b) Posts falling under category **B** shall be filled up either by promotion or by direct recruitment or on consolidated basis. The ratio between direct recruitment and promotion shall be 1:6.

For the direct recruitment posts in Category **B**, the age at entry, communal rotation and reservation will be as applicable to Government servants. For promotion, there will not be any age restriction except otherwise prescribed.

8. Cadre Strength.- Cadre Strength for each category of Common Cadre Employees is fixed assuring 100% crushing capacity of the mills and shall be as follows, namely:-

Name of the post (1)		Number of Posts (2)
Category-A :		
Chief Engineer	1 per Mill	15 (except Ambur, Amaravathi, and Tirupattur)
Chief Chemist	1 per Mill	15 (except Ambur, Amaravathi, Tirupattur)
Chief Accountant	1 per Mill	15 (except Ambur, Amaravathi, Tirupattur)
Chief Cane Officer	1 per Mill	15 (except Ambur, Amaravathi, Tirupattur)
Category-B :		
Deputy Chief Engineer	1 per Mill	18
	1 per Mill	18
Deputy Chief Chemist	1 per distillery	2 (Amaravathi, Salem)
	Total	20
Assistant Engineer (Mechanical)	4 per mill	72(4 x 18)
	1 per distillery	2 (Amaravathi, Salem)
	Total	74
Assistant Engineer (Electrical)	1 per Mill	18 (1x18)
Manufacturing Chemist	5 per Mill	90 (5x18)
	4 per distillery	8 (4x2)
	1 in Sugar Research Institute	1
	Total	99
Cane Officer	1 per 1600 acres of cane area	133 (Indicated in Annexure A)
Office Manager	1 per Mill	18
Labour Welfare Officer	1 per Mill	18
Accounts Officer	1 per Mill	18

The post of Labour Welfare Officer will be filled based on the provisions contained in Labour Laws.

Cadre Strength shall be filled only if at least 60% of capacity of the Mills is utilised for 3 consecutive years.

9. Eligibility and Qualifications.-

I. Category A : Chief Officers.

<i>Serial No.</i>	<i>Name of the Post</i>	<i>Qualifications</i>	<i>Experience</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)
1	Chief Engineer	(a) Promotion : B.E. Degree with Associateship of Deccan Sugar Institute/ Associateship of Vasantdada Sugar Institute/Associateship of National Sugar Institute / M.Tech. (Sugar Engineering) and Boiler Operation Engineering qualification. (or) Diploma in Engineering with Sugar Engineering Certificate Course and Boiler Operation Engineering qualification.	3 years experience as Deputy Chief Engineer in Co-operative Sugar Mill.	--
		(b) Direct Recruitment : B.E. Degree with Associateship of Deccan Sugar Institute/ Associateship of Vasantdada Sugar Institute/Associateship of National Sugar Institute / M.Tech. (Sugar Engineering) and Boiler Operation Engineering qualification.	12 years experience in any Sugar Mill including minimum of 3 years work experience in the cadre not below the rank of Deputy Chief Engineer or its equivalent.	--
2.	Chief Chemist	(a) Promotion : B.Tech. / B.E (Chemical Engineering) with Associateship of Vasantdada Sugar Institute/ Associateship of National Sugar Institute /PG Diploma in Sugar Technology(Anna University) (or) B.Sc.,(Chemistry) or any equivalent bachelor degree with Associateship of Vasantdada Sugar Institute/ Associateship of National Sugar Institute /PG Diploma in Sugar Technology (Anna University)	3 years experience as Deputy Chief Chemist in Co-operative Sugar Mills.	--
		(b) Direct Recruitment : B.Tech. / B.E (Chemical Engineering) with Associateship of Vasantdada Sugar Institute/ Associateship of National Sugar Institute /PG Diploma in Sugar Technology (Anna University) (or) B.Sc.,(Chemistry) or any equivalent bachelor degree with Associateship of Vasantdada Sugar Institute/Associateship of National Sugar Institute / PG Diploma in Sugar Technology (Anna University)	12 years experience in any Sugar Mill including minimum of 3 years work experience in the cadre not below the rank of Deputy Chief Chemist or its equivalent.	

<i>Serial No.</i>	<i>Name of the Post</i>	<i>Qualifications</i>	<i>Experience</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)
3.	Chief Cane Officer	(a) Promotion M.Sc., (Agri.)	3 years experience as Cane Development Officer in any Co-operative Sugar Mills.	
		(b) Direct Recruitment M.Sc.,(Agri.)	12 years experience in any Sugar Mill including minimum of 3 years work experience in the cadre not below the rank of Cane Development Officer or its equivalent.	
4.	Chief Accountant	Chartered Accountant / Cost and Works Accountant	12 years experience in working in any manufacturing concern.	These posts shall also be filled up by promotion from among the existing employees provided they possess necessary qualifications.

II. Category B : Deputy Chief Officers. (By promotion)

<i>Serial No.</i>	<i>Name of the Post</i>	<i>Qualifications</i>	<i>Experience</i>
(1)	(2)	(3)	(4)
1.	Deputy Chief Engineer	B.E., with Associateship of Vasantdada Sugar Institute/Associateship of National Sugar Institute / M.Tech. (Sugar). (or) Diploma in Engineering with Sugar Engineering Certificate Course and Boiler Operation Engineering	Work experience of 8 years as Assistant Engineer (Mechanical) / Assistant Engineer (Electrical) in Co-operative Sugar Mills. Work experience of 8 years as Assistant Engineer (Mechanical) / Assistant Engineer (Electrical) in Co-operative Sugar Mills.
Ratio of Promotion from Assistant Engineer (Mechanical) and Assistant Engineer (Electrical) to Deputy Chief Engineer shall be in the ratio of 4:1.			
2.	Deputy Chief Chemist (Sugar)	B.E. (Chemical Engineering)/ B.Tech (Chemical Engineering) with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology) (or) B.Sc., (Chemistry) or any equivalent bachelor degree with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology)	Work experience of 8 years as Manufacturing Chemist (Sugar) in Co-operative Sugar Mills.

3. Deputy Chief Chemist (Distillery) B.E. (Chemical Engineering)/ B.Tech (Chemical Engineering) with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute Work experience of 8 years as Manufacturing Chemist (Distillery) in Co-operative Sugar Mills.

(or)

B.Sc., (Chemistry) or any equivalent bachelor degree with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute

4. Cane Development Officer B. Sc., (Agri.). 8 years Work experience as Cane Officer in Co-operative Sugar Mills.

III. (i) Category B: Deputy Chief Officers. (Entry Level Cadre) (By Direct Recruitment)

1. Assistant Engineer :

Serial No.	Post	Qualifications	Posting of Boiler Operation Engineer Exam
(1)	(2)	(3)	(4)
1.	Assistant Engineer (Mechanical)	B.E (Mechanical) / B.Tech (Mechanical) with Associateship of National Sugar Institute / Associateship of Vasantdada Sugar Institute or M.Tech. (Sugar Engineering)	Within 5 years of joining the mill, he should pass the Boiler Operation Engineer exam at his own cost.
2.	Assistant Engineer (Electrical)	B.E. (Electrical) / B.E. (Electrical & Instrumentation) with Associateship of National Sugar Institute / Associateship of Vasantdada Sugar Institute	Within 5 years of joining the mill, he should pass the Boiler Operation Engineer exam at his own cost.

2. Manufacturing Chemist. :

Serial No.	Name of the Post	Qualifications
(1)	(2)	(3)
(i)	Manufacturing Chemist (Sugar)	B.E. (Chemical Engineering)/ B.Tech. (Chemical Engineering) with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology)
		(or)
		B.Sc., (Chemistry) or any equivalent bachelor degree with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology)
(ii)	Manufacturing Chemist (Distillery)	B.E. (Chemical Engineering)/ B.Tech. (Chemical Engineering) with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute
		(or)
		B.Sc., (Chemistry) or any equivalent degree with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute

3. Cane Officer.

Qualification: B.Sc., (Agri.) from any recognized University

4. Labour Welfare Officer.

Qualification: As prescribed in under Rules 4(a), 4(b) and 4(c) of the Tamil Nadu Factories (Welfare Officers) Rules, 1953.

5. Accounts Officer.

Qualification: Company Secretary / Chartered Accountants / Cost and Works Accountant / MBA(Finance) / M.Com.

All officers directly recruited to Category **B** under Direct Recruitment will be placed under probation for a period of 2 years within a continuous period of 3 years.

(ii) Category B Deputy Chief Officers (Entry Level Cadre) (By Promotion)

For the post of Assistant Engineer, Manufacturing Chemist, Cane Officer, Assistant Engineer (Civil) the existing employees in the cadre of Junior Engineer (Mechanical), Electrical Supervisor, Instrument Supervisor, Junior Engineer (Electrical), Draughtsman, Lab Chemist, Civil Supervisor / Technical Assistant, Cane Assistant, Cane Development Assistant, Junior Engineer (Civil) will be considered for promotion as per seniority and suitability subject to the availability of vacancies.

1. Assistant Engineer :

<i>Serial No.</i>	<i>Name of the post</i>	<i>Qualifications</i>	<i>Experience</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)
1.	Assistant Engineer (Mechanical)	Junior Engineer (Mechanical) / Draughtsman with Diploma in Mechanical Engineering and Sugar Engineering Certificate Course and Boiler Operation Engineer	6 years experience	Existing Junior Engineer (Electrical) / Electrical Supervisor / Instrument supervisor who already possess Diploma with Sugar Engineering Certificate Course and Boiler Operation Engineer will be considered for Assistant Engineer (Mechanical). However thereafter the promotion as Assistant Engineer (Mechanical) will be restricted to Junior Engineer (Mechanical) / Draughtsman.
		Junior Engineer (Mechanical) / Draughtsman with Diploma in Mechanical Engineering and Sugar Engineering Certificate Course and Boiler Operation Engineer	3 years experience	
2.	Assistant Engineer (Electrical)	Junior Engineer (Electrical) / Electrical Supervisor / Instrument Supervisor with Diploma in Electrical Engineering or Diploma in Electrical and Electronics Engineering with valid Supervisory Competency Certificate (C- License)	6 years experience as Electrical Supervisor / Junior Engineer (Electrical)	----
		(or)		
		B.E., (Electrical) / B.E. (Electrical & Instrumentation) / B.E. (Instrumentation Engineering) / B.E., (Electrical and Electronics Engineering) with valid Supervisory Competency Certificate (C- License)	3 years experience as Electrical Supervisor / Junior Engineer (Electrical)	

<i>Serial No.</i>	<i>Name of the post</i>	<i>Qualifications</i>	<i>Experience</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)
3	Assistant Engineer (Civil)	Junior engineer (Civil) having Diploma in Civil Engineer	12 years experience in running sugar mills.	This is suggested only for giving promotion to existing Junior Engineer (Civil), as the posts will be abolished once the existing 6 Junior Engineer (Civil) retires.
		Junior engineer (Civil) having B.E., (Civil)	9 years experience in running sugar mills	

2. Manufacturing Chemist :

<i>Serial No.</i>	<i>Name of the Post</i>	<i>Qualifications</i>	<i>Experience</i>
(1)	(2)	(3)	(4)
i)	Manufacturing Chemist (Sugar)	B.E. (Chemical Engineering) / B.Tech. (Chemical Engineering) with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology)	3 years experience as Lab Chemist in Co-operative / Sugar Mill / Distillery.
		(or)	
		B.Sc., (Chemistry) or any equivalent bachelor degree with Associateship of National Sugar Institute (Sugar Technology) / Associateship of Vasantdada Sugar Institute (Sugar Technology)	
ii)	Manufacturing Chemist (Distillery)	B.E. (Chemical Engineering) / B.Tech. (Chemical Engineering) with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute	3 years experience as Lab Chemist in Co-operative Sugar Mill / Distillery.
		(or)	
		B.Sc., (Chemistry) or any equivalent bachelor degree with Diploma in Fermentation and Alcohol Technology from National Sugar Institute / Vasantdada Sugar Institute	

3. Cane Officer :

<i>Qualification</i>	<i>Experience</i>
B.Sc. (Agri)	3 years experience as Cane Assistants / Cane Development Assistants in Co-operative Sugar Mills.

4. Accounts Officer :

<i>Qualification</i>	<i>Experience</i>
B.Com	3 years experience as Accountant in Co-operative Sugar Mills.

5. Office Manager :

<i>Qualification</i>	<i>Experience</i>
Any degree	3 years experience as Superintendent in Co-operative Sugar Mills.

6. Labour Welfare Officer :

<i>Serial No.</i>	<i>Name of the Post</i>	<i>Qualifications</i>
(1)	(2)	(3)
1.	Labour Welfare Officer	Qualified Employees in Co-operative Sugar Mills will be considered for the Post of Labour Welfare Officer. In case qualified employees are not available, the said post will be filled up by Direct Recruitment.

AS PER QUALIFICATION PRESCRIBED IN THE TAMIL NADU FACTORIES (WELFARE OFFICERS) RULES, 1953

Qualification: The individual should possess the following qualifications, namely:-

1. A degree of Master of Labour Management or Bachelor of Labour Management or B.A. (Labour Management) or M.A. (Labour Management) awarded by the Tamil Nadu Institute of Labour Studies, Chennai or by any University;

(or)

2. Any Post Graduate degree in Social Work or Social Welfare or Social Dynamics with Industrial Management or Personnel Management and Industrial Relations or Allied Sociology or Labour and Social Welfare or Sociology or Social Service or Social Science or Sociology and Economics or Social Technique or Industrial Relations and Labour Welfare or Commerce (Personnel Management and Industrial Relations) or M.B.A. (Master of Business Administration) awarded by any of the Institutions recognized by the Government of Tamil Nadu specified in the Annexure or the Institutions recognized by the University Grants Commission for the purpose of its grant; or

(a) A degree in Bachelor of Law;

awarded by any University recognized by the University Grants Commission for the purpose of its grants; or

(b) (1) A Degree awarded by any University other than the degree or Post graduate degree specified in clauses a (i), (ii) and (iii) above; and

(2) A diploma in Labour Administration or Labour Laws and Administrative Laws or Personnel Management, Industrial Relations and Labour Welfare or Social Work or Social Science or Personnel Management and Labour Relations or Social Welfare with Labour Laws on Industrial Relations or Labour Laws or Social Service Administration or Labour Welfare or Social Work or Labour Training Course or Social Sciences or Industrial Psychology and Industrial Relations or Labour Welfare and Personnel Management or Industrial Sociology, Labour Welfare and Personnel Management or Social Welfare or Social Science or Social Technique or Personnel Management and Industrial Relations or Human Resource Development in Industry or Business Administration as a main subject of any University or Institutions recognized by the Government of Tamil Nadu as specified in the Annexure or the institutions recognized by the University Grants Commission for the purpose of its grant;

10. Crucial Date for Promotion.- First of April every year shall be the crucial date for the preparation of empanelment of Common Cadre Employees for promotion in their respective category and it will be valid for one year from the date of order of panel.

11. Salary, Allowance and Service Benefits.- The pay and allowances will be decided by the Government based on the recommendations of the committee constituted by the cadre authority. Allowances will also be regulated as per the instructions issued by the Government from time to time.

12. Provident Fund.- Every Common Cadre Employee shall contribute towards contributory provident fund @ 12% of the pay and Dearness allowance and the mills in which the employee is working shall also make matching contribution to the fund at the same rate. Every Common Cadre Employee should also make additional contribution to the provident fund as per the instructions of the Regional Provident Fund Commissioner from time to time. Provident Fund Account shall be maintained in the Mill concerned.

13. Gratuity.- The Gratuity will be paid as per the provisions of the Payment of Gratuity Act, 1972 (Central Act 39 of 1972). In order to facilitate the timely disbursement of the gratuity, Tamil Nadu Co-operative Sugar Federation shall maintain a corpus for Common Cadre Employees and proportionate contribution from the mills will be pooled into the corpus.

14. Increments.- (a) Power to sanction increment is vested with the Managing Director of the mills concerned. Respective Managing Directors are conferred with the power to sanction the annual increments in a routine manner, unless it is otherwise withheld for specific reasons such as leave on loss of pay or punishments etc., awarded by the Disciplinary Authority.

(b) Increment of the Common Cadre Employees shall be advanced so as to fall on the first day of every quarter (i.e., 1st January, 1st April, 1st July and 1st October of every year). Increment shall be given once in a year and on a date closest to the date of joining in the common cadre service.

(c) Except the annual increments, no other increments such as increments for additional qualifications etc., will be applicable to the Common Cadre Employees.

(d) Selection grade and Special grade:- Awarding of Selection grade / Special grade on stagnating in the same cadre for 10 years / 20 years, respectively, will be regulated as per the instructions issued by the Government from time to time.

15. Record of Service.- The sugar mills concerned shall maintain the service documents in respect of the Common Cadre Employee in the format apart from others as prescribed by the Commissioner of Sugar including the following:

(a) Personal file of every Common Cadre Employee containing a copy of his appointment order, Service particulars including educational qualification and other items, copies of warnings, leave orders, orders of punishment, if any, and other service records as necessary should be maintained.

(b) Service books.

(c) Performance Report as laid down in rule 23.

16. Seniority.- Seniority of the Common Cadre Employee shall be determined with reference to the date of entry into the Managerial Common Cadre System and will be the criterion for fixing inter-se seniority. In case of two employees having the same date of joining in the Managerial Common Cadre System, the date on which the educational qualifications were acquired by the employee shall be considered. In case of two employees having the same date of joining in the Managerial Common Cadre System and same date of acquiring educational qualification, the age of the employees will be considered. The common cadre seniority list will be approved and published by the Cadre Authority on the basis of the above criteria.

17. Leave.- (i) Common Cadre Employee shall be eligible only for the following kinds of leave, namely:-

(a) Casual leave – 12 days per annum

(b) Earned leave – 1 day for every 12 days subject to a maximum of 240 days

(c) Medical leave – 1 day for every 40 working days.

(d) Maternity leave (in case of female employees) as specified by the Government, from time to time.

(e) Special Leave (in case of terminal illness). For diseases like Cancer/T.B/Leprosy etc., Medical leave at the credit shall be allowed at a time irrespective of the length of service.

However the quantum of leave, eligibility criteria of availing himself/herself of the leave shall be decided by the Cadre Authority in consultation with Government from time to time.

(ii) Power to Refuse or Recall an Employee From Leave:

When the service of a common Cadre Employee is required, he/she may be recalled from leave or the leave sanctioned may be revoked by the Disciplinary Authority. Leave of any kind cannot be claimed as a matter of right.

(iii) Prior Notice:

An employee who wishes to avail earned leave shall apply in writing two weeks in advance to the Managing Director of the sugar mills concerned. The Managing Director of the Sugar Mills may waive the notice in any urgent or unforeseen situations.

(iv) Extension of leave:

If an employee on leave deserves extension thereto, he shall make an application in writing so as to reach the sanctioning authority at least seven days before the expiry of leave. A reply communication sanction or rejection of leave shall be sent to the Common Cadre Employees to the address given by him.

(v) Leave Address:

Common Cadre Employee proceeding on earned leave or sick leave shall furnish the leave address to the Managing Director of the mill concerned.

(vi) Absence on account of overstay:

Absence on account of overstay in continuation of sanctioned leave or otherwise constitute misconduct for the purpose of these rules.

(vii) Permission to leave headquarters;

Common Cadre Employees entering on leave and leaving the headquarters shall indicate specifically his address in the leave application and obtain permission to leave headquarters along with leave sanction.

(viii) Receipt of communication means for Common Cadre Employee;

Any communication to the Common Cadre Employee shall be deemed to have been received by him, if it is delivered to his last known address or sent by registered post irrespective of the fact whether the same is received by him or not.

18. Termination of Service.- No member of the cadre shall be entitled to notice or any salary and allowance in lieu thereof, if he is removed from service on account of misconduct, dishonesty or moral turpitude. Notice of termination shall be issued by the disciplinary Authority.

Explanation: Termination of service means removal/dismissal from service of a Common Cadre Employee.

19. Retirement.- Every employee appointed in the service shall retire on attaining the age of 58 years with effect from the afternoon of the last day of the month in which he/she attains the age of 58 years.

20. Appointment of Legal Heirs In Case of Death While in Service.- The Sugar Mills may provide for appointment to the legal heirs of the Common Cadre Employee who dies in harness on compassionate grounds in indigent circumstances subject to the provisions of the Rules and Special bye-laws relating to the service conditions of the employees of the respective Sugar Mills. The benefit of giving employment will be subject to aspirants fulfilling the norms regarding educational and other qualifications. Whenever an appointment is made on compassionate grounds, the cadre authority shall ensure that the appointment is made by the Sugar Mills in which the employee had last worked.

21. Posting and Transfer.- The transfer of the Common Cadre Employee may be made by the Common Cadre Authority suo motu or at the request of the Managing Director of the sugar mills concerned.

22. Joining Time and Transfer Travelling Allowance.- A Common Cadre Employee on transfer will be allowed joining time of three days. The salary for the joining period, transfer travelling allowance and daily allowance shall be borne by Sugar Mill to which the Common Cadre Employee last worked.

23. Performance Evaluation Report.- Every Common Cadre Employee shall furnish a set of reports every year ending 31st March indicating the performance levels fixed for him, achievements, outstanding contributions for developments and strengthening of the system, awards if received, punishments if any imposed etc., in the preceding year, within a month from the completion of each year. Such self-appraisal reports shall be scrutinized and countersigned by the Managing Director of the sugar mills concerned in his capacity as Disciplinary Authority.

24. Resignation.- A member of the common cadre service may resign by giving a notice of not less than three months, in writing to the cadre authority. If less than 3 months' notice is given, the Common Cadre Employee will have to remit the salary and allowances for the actual number of days of shortfall in notice. Resignation shall take effect from the date of acceptance by the cadre authority. If any records, books or properties of the Sugar Mills are found to have been held by him, he shall be liable to account for the same in spite of acceptance of his resignation for a period of seven years.

25. Conduct and Discipline.- (a) The Common Cadre Employees of the service shall work full time at the disposal of the Sugar mill to which the Common Cadre Employee is posted and he shall serve the Sugar Mills in its business in such capacity and during such hours and at such place as may be required from time to time.

(b) Every Common Cadre Employee of the service subject to the provisions of the rules and regulations shall work under the administrative control of the Managing Director of the Sugar Mill concerned and perform such duties and exercise such powers as may be enjoined upon or conferred on him under the provisions of the Act, Rules and the bye-laws of the Sugar Mills.

(c) No Common Cadre Employee shall divulge to any person the business secret of the Sugar Mills or reveal the business information of a confidential nature which during the course of his employment come to his possession or knowledge or has been collected by him. Every member of the common cadre service shall give an undertaking in writing that he shall keep and maintain secrecy as laid down in the regulations, failing which he shall be liable for disciplinary action. Such undertaking shall be executed by the Common Cadre Employee at the time of joining the Sugar Mills to which he is posted.

Every Common Cadre Employee shall serve the Sugar Mill concerned with honesty and faithfulness and shall use his utmost endeavour to promote the interest of the Sugar Mills. He shall also show courtesy and attention in his dealings towards persons having business relations with the Sugar Mills.

(d) No member of the common cadre service shall,-

- (a) While on duty, be under the influence of alcoholic drinks or drugs, or
- (b) Appear in a public place in a state of intoxication, or
- (c) Habitually use such drinks or drugs.

(e) No member of the common Cadre service shall,-

(i) indulge in disorderly or indecent behaviour or gambling or betting or committing nuisance within the premises of the Sugar Mills or do anything which disturbs or dislocates the business of the Sugar Mills, or

(ii) Cause or attempt to cause wilful damage to the property of the Sugar Mills or of persons dealing with the Sugar Mill, or

(iii) Abet or instigate any of the employees for acts of misconduct commission or violation of duties, or

(iv) misuse of loans or advances obtained from the Sugar Mills or the property of the mills under his charge or care, or

(v) Organise or attend any meeting other than a meeting connected with the business of the Sugar Mills within its premises without the permission of the Managing Director of the Mill.

(vi) A Common Cadre Employee shall except with the previous sanction of the cadre authority, engage himself directly or indirectly in any trade or business or undertake any employment

(vii) Common Cadre Employees shall not engage himself directly or indirectly in any trade or business with the sugar mills after retirement or resignation for at least three years.

(f) No member of the common cadre service shall take part or associate himself with any political demonstration or shall take part as a candidate, canvass or otherwise use his influence in any political election or election to the Board of Management of the Sugar Mills or any other Cooperative Societies, other than a society of which he is a member.

(g) No member of the common cadre service shall make any statement to the press or contribute articles to the press or magazine or give any talk on the Radio in connection with the affairs of the Sugar Mills without the permission of the Managing Director. He shall not ventilate any personal grievance through press or leaflets.

(h) No member of the common cadre service shall accept, solicit, or seek any outside employment or office whether on stipend or in an honorary capacity without previous permission in writing from the cadre authority.

(i) No member of the common cadre service shall join any educational institution for further studies except with the prior sanction of the Managing Director of the Sugar Mills. The permission so required shall be given only in suitable cases and for specific period and only when the Managing Director is satisfied that according of such permission to the member is not detrimental to the efficient discharge of his duties.

(j) A member of the common cadre service shall not solicit or accept any gift or gratification from any subordinate employee or a person who has any dealing with the Sugar Mills.

(k) A member of the common cadre service shall not absent himself from the headquarters except on duty, without obtaining previous sanction from the Managing Director of the Sugar Mills.

(l) A member of the common cadre service shall not borrow money from or in any way place himself under a pecuniary obligation to any employee of the Sugar Mill.

(m) No member of the common cadre service shall permit any member of his family to make any such transaction in the Sugar Mills in which he is posted as is likely to embarrass or influence him in the discharge of his duties.

(n) A member of the common cadre service shall not resort to borrowings from outside agencies including other Sugar Mills, finance companies, chit funds, hire purchase companies etc., except with the prior approval from the reviewing authority of the Sugar Mills concerned.

(o) It is not necessary for the Common Cadre Employee to get prior permission of the Common Cadre Authority for applying passports. However, while the employee applies for the passport, it should be informed to the Common Cadre Authority. It will not be necessary for obtaining No Objection Certificate for travel abroad. However, the leave for the travel abroad be sanctioned by the Cadre Authority.

(p) A Common Cadre Employee shall not engage himself in strike or in incitements thereto or in similar activities.

(q) No Common Cadre Employee who has spouse living shall enter into or contract a marriage with any person. No Common Cadre Employee shall enter into or contract a marriage with a person having a spouse living :

Provided that the cadre authority may permit a Common Cadre Employee to enter into or contract any such marriage if such marriage is permissible under the personal law applicable to such Common Cadre Employee and the other party to the marriage and there are other grounds for so doing.

(r) No member of the common cadre service shall enter into or carry on any credit transactions with the Sugar Mills or any other society except as permitted under the Act, Rules or the Bye-laws of the Sugar Mill-concerned where he is working or as per the cadre regulations.

(s) If a member of the common cadre service is arrested on a criminal charge, he shall be placed under suspension from the date of his arrest and if a member of the common cadre service is convicted of a criminal charge by a competent criminal court, he shall be liable for dismissal. "Let off under Probationary Offenders Act" is tantamount to conviction and is liable for dismissal.

(t) Every common Cadre Employee shall ensure that no child below the age of fourteen years is employed in any work in the sugar mills including domestic work.

(u) Prohibition of sexual harassment of working women at work place.- No Employee shall indulge in any act of sexual harassment of any woman at the work place.

Every Common Cadre Employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

Explanation.- For the purpose of this rule, "sexual harassment" include such unwelcome sexually determined behaviour, whether directly or by implication as:-

(i) physical contact and advances; or (ii) demand or request for sexual favours; or (iii) sexually coloured remarks; or (iv) showing any pornography; or (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

26. Annual Property Statement.- (a) Every Common Cadre Employee shall furnish a declaration to the Common Cadre authority of the immovable property held in his name or in the name of his spouse or dependant sons and daughters, as at the end of the each financial year. He shall also obtain prior permission for purchase of or acquiring any interest and immovable property from the Common Cadre Authority. In addition to furnishing of statement of immovable property, the Common Cadre Employee shall also furnish a statement of assets and liabilities as on 31st March of every year to the Common Cadre Authority. Such report may be filed within one month from the completion of each financial year in the formats in Annexure-II.

(b) Prior permission to purchase immovable property shall be obtained from the Common Cadre Authority. The purchase of movable properties worth more than one month's salary shall be intimated to the Managing Director within a month of purchase of such property.

(c) No member of the common cadre service or his family member shall bid in any auction of the property belonging to the Sugar Mills either directly or indirectly.

27. Disciplinary Proceedings.- The disciplinary proceedings against a Common Cadre Employee shall be conducted with due observance of the principles of natural justice for which it shall be necessary that,-

(a) The Common Cadre Employee shall be served with a charge memo duly approved by the Managing Director containing specific charges and mentioning of grounds in support of each charge and he shall be required to submit explanation in respect of the charge within a reasonable time which shall not be less than fifteen days;

(b) An independent inquiry in an impartial manner shall be conducted by Managing Director. If a Managing Director considers independent inquiry requires an officer from other sugar mills, he / she will write to the Common Cadre Authority for sanction of such officials necessary for conducting inquiry. As far as possible the inquiry shall be completed within 90 days and with the written order by Managing Director, it may be extended by 30 days. No extension beyond this time limit will be allowed except with the sanction from the Common Cadre Authority;

(c) The Inquiry Officer shall be appointed by the Managing Director provided that the officer at whose instance disciplinary action was initiated shall not be appointed as an Inquiry Officer nor shall the Inquiry Officer be the appellate authority. The inquiry Officer shall not be lower than the rank of the delinquent officer;

(d) A Common Cadre Employee may be placed under suspension by the Managing Director of the mill and the order of suspension may be revoked by the Managing Director of the concerned mill;

(e) The Common Cadre Authority may suo motu direct the Managing Director of the sugar mill to place any Common Cadre Employee under suspension;

(f) Suspension shall not be given retrospective effect;

(g) Leave shall not be granted to a member under suspension.

(h) A Common Cadre Employee against whom proceedings have been initiated either for his arrest on a criminal charge or who is detained under any law for preventive detention shall be deemed to be as under suspension for the period during which he is so detained in custody or is undergoing imprisonment and he shall not be allowed any pay and allowance other than the subsistence allowance admissible for such period until he is released from detention and allowed to resume duties, as the case may be;

(i) A Common Cadre Employee under suspension shall be entitled to a subsistence allowance as per the Tamil Nadu payment of Subsistence Allowance Act, 1981 (Tamil Nadu Act 43 of 1981) :

Provided that no payment of the subsistence allowance shall be made unless the member has furnished a certificate and the authority passing the order of suspension is satisfied that the Common Cadre Employee was not engaged in any other employment, business, profession or vocation and other employment and had not earned remuneration there for during the period of his suspension.

(j) Where the conduct of a Common Cadre Employee has led to his conviction on a criminal charge or where a Common Cadre Employee refuses or fails without sufficient cause to appear before the Inquiry Officer when specifically called upon in writing to appear or where a Common Cadre Employee has absconded and his whereabouts are not known to the authority for more than three months or where it is otherwise (for reason to be recorded in writing) not possible to communicate with him, the competent authority may award appropriate punishment without going through the detailed disciplinary proceedings;

(k) When a Common Cadre Employee under suspension is reinstated the authority competent to order the reinstatement shall make specific order regarding pay and allowance, to be paid for the period of suspension and whether or not the said period shall be treated as a period spent on duty :

Provided that where the authority passing the order of reinstatement is of the opinion that the Common Cadre Employee has been fully exonerated or the suspension was wholly unjustified, the Common Cadre Employee shall be given the full pay and allowance to which he would have been entitled had he not been suspended. In such cases, the period of suspension shall be treated as period spent on duty for all purposes;

(l) In cases not falling under clause (k) above, period of suspension shall not be treated as a period spent on duty unless the disciplinary authority specifically directs that it shall be so treated;

(m) Any disciplinary proceedings initiated against the Common Cadre Employee of a Sugar Mill before the enforcement of these rules and still continuing shall as far as may be deemed to have been commenced under these rules and may be continued accordingly.

28. Penalties.- (a) Without prejudice to the provisions contained in any other rules, a Common Cadre Employee who commits breach of duty enjoined upon him or has been convicted of a criminal offence or has been punished for an offence under the Act or does anything prohibited by these rules shall be liable to be punished by any one of the following penalties, namely:-

I. Minor Punishment.

- i. Censure.
- ii. Fine.
- iii. Withholding of increments without cumulative effects.
- iv. Reduction in Promotion.

II. Major Punishments

- v. Withholding of increments with cumulative effect.
- vi. Removal from Service.
- vii. Dismissal from Service.
- viii. Compulsory Retirement.
- ix. Reduction in the Seniority list.

x. Recovery from pay or security deposit to compensate in whole or in part for any pecuniary loss caused to the Sugar Mills by the Common Cadre Employee.

(b) Copy of the order of the punishment shall invariably be given to the Common Cadre Employee concerned and entry to this effect shall be made in his service record.

(c) No penalty mentioned at items (i) to (iv) above shall be imposed unless a show cause notice has been given to the Common Cadre Employee and he has either failed to reply within the specified time or his reply has been found to be unsatisfactory by the Disciplinary Authority/Managing Director.

(d) No penalty under items (v) to (x) above shall be imposed without recourse to detailed disciplinary proceedings mentioned in Rule 27.

(e) Common Cadre Employee shall be imposed with the above penalties by Managing Director of the Sugar Mill under which a Common Cadre Employee is for the time being employed.

29. Appeal- The power to hear appeals preferred by a Common Cadre Employee against orders of such punishment shall lie with the Commissioner / Director of Sugar.

30. Requirements of Appeal-

(a) It shall be couched in polite and respectful language failing which the appellate authority may reject it.

(b) It shall contain all material facts and arguments and shall be complete in itself.

(c) It shall be accompanied by an attested copy of the impugned order.

(d) It shall specify the relief desired.

(e) It shall be submitted to the Appellate authority through proper channel within 60 days from the date of receipt of the order of punishment.

(f) An appeal preferred through proper channel under sub-clause (e) above shall be forwarded without undue delay to the appellate authority with the comments of the authority through which it is submitted.

(g) Save as provided in these rules, no appeal shall be addressed or endorsed to or bear recommendations of any other authority or person. A defiance of this rule as well as any attempt to influence or canvass the appellate authority shall be deemed as breach of discipline, rendering the appeal liable to rejection and the member is liable for punishment for breach of discipline.

(h) In any case, where the appellate authority considers that the punishment imposed by the disciplinary authority is not commensurate with gravity of charges established, bearing in mind the general discipline can suo motu enhance or reduce or set aside or revert for re-enquiry of the punishment imposed by the Disciplinary authority.

31. Suits and Criminal Cases- (a) Where a civil suit or a criminal case arising out of the circumstances directly connected with the discharge of his official duties is filed against a Common Cadre Employee and the Common Cadre Employee makes a request for the defence of the case at the cost of the Sugar Mills concerned the Managing Director of the Sugar Mills concerned may consider such request and sanction defence of the case at the cost of the Sugar Mills subject to the approval of the cadre authority.

(b) While seeking approval of the common cadre authority, the Sugar Mills shall intimate the reasons for offering defence at the cost of the Sugar Mill and furnish such other information as the cadre authority may require for disposal of the request of the Sugar Mills.

(c) Cases of employees having been charged with embezzlement, fraud, corruption or moral turpitude shall not be treated as falling within the scope of rule 30.

(d) Even where a case against a member of the service is under police investigation or trial, the cadre authority may institute or proceed with department enquiry and take disciplinary action against the erring Common Cadre Employee, pending judicial enquiry or trial. Such enquiry shall be completed within the stipulated time.

32. Miscellaneous- If dispute or doubt about the interpretation or application of any of the provisions of these rules arises, the matter shall be referred by the common cadre authority to the Government whose decision shall be final and binding.

Save as otherwise provided in these rules, all order concerning service matters shall be issued under the signature and seal of common cadre authority or by persons specifically authorised by the committee.

ANNEXURE - I

Cane Officers Sanctioned Strength

<i>Serial No.</i>	<i>Name of the Mills</i>	<i>Number of Cane Officers</i>
(1)	(2)	(3)
1	Ambur	5
2	Salem	8
3	Kallakurichi-I	8
4	Dharmapuri	6
5	Vellore	8
6	Tirupattur	4
7	Chengalrayan	9
8	Tiruttani	8
9	N.P.K.R.R.	8
10	M.R.K.	8
11	Cheyyar	8
12	Subramaniya Siva	8
13	Kallakurichi-II	8
14	Amaravathy	4
15	National	8
16	Madurantakam	8
17	Arignar Anna	8
18	Perambalur	9
Total		133

FORM No. - I

Serial No.	Description of Property	Precise location (Name of District, Taluk and Village in Which situated and also its distinctive number etc.)	Area of land (in case of land and building)	Nature of land (in case of land property)	Extent of interest	If not in own name of the State in whose name held and his / her relationship if any to the common cadre officers.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

<i>Date of acquisition, how acquired (whether by purchase, mortgage lease, inheritance gift or otherwise and name with details of persons / person from whom acquired)</i>	<i>Address and connection of the common cadre officers if any with the persons concerned (Please see Note-I below)</i>	<i>Value of the property</i>	<i>Source of income</i>	<i>Details of payment</i>	<i>Particulars of sanction of prescribed authority if any</i>	<i>Total annual income from the property</i>	<i>Remarks</i>
<i>(8)</i>	<i>(9)</i>	<i>(10)</i>	<i>(11)</i>	<i>(12)</i>	<i>(13)</i>	<i>(14)</i>	<i>(15)</i>

Signature

Note : - In col. 9 – particulars regarding sanctions obtained or report made in respect of the various transactions may be given.

FORM No. II

STATEMENT OF LIQUID ASSETS HELD BY COMMON CADRE OFFICERS

(1) Cash, Bank Balance exceeding three months emoluments.

(2) Deposits, loans advance and investments (such as Shares, Securities, Debentures etc.)

<i>Serial No.</i>	<i>Description</i>	<i>Name and address of company, Bank etc.</i>	<i>Amount (in Rupees)</i>	<i>If not in own name and address of person in whose name held and his / her relationship with the common cadre officers.</i>	<i>Source of income</i>	<i>Details of income</i>	<i>Annual income derived</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Date:

Signature

Note : "Annual Income Derived" means the pay and allowances received by the Common Cadre Employee.

FORM No. III

STATEMENT OF MOVABLE PROPERTY HELD BY COMMON CADRE OFFICERS

<i>Serial No.</i>	<i>Description of items</i>	<i>Price of value at the time of acquisition and / or the total payments made up to the date of return as the case may be in the case of articles purchases on hire purchase or installment basis.</i>	<i>If not in own name and address of person in whose name and his / her relationship with the common cadre officers.</i>	<i>Source of income</i>	<i>Details of Payments</i>	<i>How acquired with approximate date of acquisition.</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date:

Signature

FORM No. IV

STATEMENT OF PROVIDENT FUND AND LIFE INSURANCE POLICY HELD BY COMMON CADRE OFFICERS

<i>Serial No.</i>	<i>Policy Number and date of policy</i>	<i>Name of insurance company</i>	<i>Sum insured and date of maturity.</i>	<i>Amount annual premium</i>	<i>Source of income</i>	<i>Details of payments</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)

1.

2.

<i>Type of Provident Fund / General Provident Fund / CPF/ Account No.</i>	<i>Closing balance as last reported by the Audit / Accounts Officer along with date of such balance</i>	<i>Contributions made subsequently Subscription and refund.</i>	<i>Total</i>	<i>Remarks (If there is dispute regarding closing balance the figures according to the common cadre officers should also be mentioned in the Column.</i>
(8)	(9)	(10)	(11)	(12)

Date:

Signature

FORM No. V

STATEMENT OF DEBTS AND OTHER LIABILITIES OF THE COMMON CADRE OFFICERS

<i>Serial No.</i>	<i>Amount (Rs.)</i>	<i>Name and address of Creditor</i>	<i>Date of incurring liability</i>	<i>Details of transaction</i>	<i>Source of Income</i>	<i>Details of payment</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date:

Signature

Note :

1. Individual items of loans not exceeding three months emoluments or Rs. 50000/- whichever is less not be included. (The terms of emoluments means pay and allowances received per month by the Common cadre Officer).
2. In column (8) information regarding permission if any obtained from or report made to the competent authority may also be given.
3. The statement should also include various loans and advances available to Common Cadre Officers like advance for purchase of vehicle, house building advance etc., (other than advances of pay and travelling allowance, advances from the General Provident Fund and loans on Life Insurance Policies and Fixed Deposits).

K. GNANADESIKAN,
Additional Chief Secretary to Government.